

mm



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,836	06/26/2001	Seong-Wook Sim	678-666 (P9562)	2669
28249	7590	11/02/2004	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			BUI, BING Q	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,836

Applicant(s)

SIM ET AL.

Examiner

Bing Q Bui

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/29/02; 8/07/02 and 12/01/03 _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-13 are pending in the application for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Nounin et al (US Pat No. 5,802,469) cited by the Applicant, herein after referred as Nounin.

Regarding claim 1, referring to Fig 1, Nounin teaches in a short-range mobile communication system for communicating through a selected radio link between a master (e.g., base station) and at least one slave (e.g., portable terminal), a method for fast transmission of data stored in a memory of the master to the slave through the selected radio link (e.g., radio link 5), comprising the steps of:

requesting transmission of data stored in the memory of the master (see Fig 2; and col. 3, Ins 44-64 and col. 48, Ins 39-54);

establishing a selected radio link between the master and the slave in response to the request for transmission of data (see Fig 2; and col. 3, Ins 44-64 and col. 48, Ins 39-54);

transmitting indexing information related to the kinds of data stored in the memory of the master through the selected radio link (see col. 18, Ins 8-15);

transmitting data corresponding to the indexing information selected to the slave through the radio link (see col. 18, Ins 8-15).

Regarding claim 2, Nounin teaches the method for fast transmission of data as recited in claim 1, further comprising the step of sending a message requesting transmission of data to a control unit of the master, and transmitting data stored in the memory of the master to the slave through the selected radio link in response to the request message (see Fig 2; and col. 3, Ins 44-64 and col. 48, Ins 39-54).

Regarding claim 3, Nounin teaches the method for fast transmission of data as recited in claim 1, wherein the indexing information includes the size, title, and numbering of data stored in the memory of the master (see col. 18, Ins 8-15).

Regarding claim 5, Nounin teaches the method for fast transmission of data as recited in claim 1, wherein the selected radio link is one of infrared communication link being capable of high speed data transmission (see col. 28, Ins 1-11).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4 and 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nounin et al (US Pat No. 5,802,469) cited by the Applicant, in view of Nakajima et al (US Pat No. 5,940,769), herein after referred as Nounin and Nakajima.

As to claims 4, 6 and 8-13, Nounin teaches the invention substantially as claimed that previously cited in the rejection of claims 1-3 and 5 above, with the exception of providing the feature of decoding voice data or low speed data when the selected radio link is a low speed radio link for transmitting voice data or low speed data; and high speed data when the selected radio link is a high speed radio link for transmitting high speed data. However, Nakajima teaches the feature of decoding voice data or low speed data when the selected radio link is a low speed radio link for transmitting voice data or low speed data; and high speed data when the selected radio link is a high speed radio link for transmitting high speed data (see Fig 15 and col. 15, Ins 14-23).

Therefore, integrating Nakajima's teachings into communication system of Nounin would have been obvious for fast and accurately transmitting the data to an information seeker and enabling the information seeker to understand the received data.

As to claim 7, Nounin teaches the slave device as recited in claim 6, wherein one of the high speed radio link and the low speed radio link are selected by a control unit of the master (see Fig 2; and col. 3, lns 44-64 and col. 48, lns 39-54).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 4,692,945

U.S. Pat. No. 4,961,216

U.S. Pat. No. 6,006,189

U.S. Pat. No. 6,069,888

U.S. Pat. No. 6,104,333

U.S. Pat. No. 6,181,926

U.S. Pat. No. 6,272,332

U.S. Pat. No. 6,289,213

U.S. Pat. No. 6,298,231

U.S. Pat. No. 6,359,872

U.S. Pat. No. 6,385,306

U.S. Pat. No. 6,636,733

U.S. Pat. No. 6,691,173

U.S. Pat. No. 6,766,163

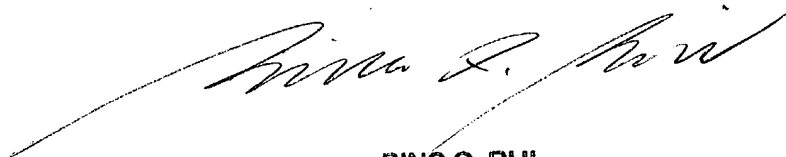
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 and for formal communications intended for entry (please label the response

EXPEDITED PROCEDURE) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

OCT 20, 2004



BING Q. BUI
PRIMARY EXAMINER